

## **REMARKS**

### **A. Examiner Interview Summary**

Applicant's representative, Mark Garrett, spoke with Examiner Erez by telephone on June 20, 2011 about the scope of the pending claims and the Coleman reference (US 4,469,101) cited by the Office. Agreement was reached that making explicit that the strands and securing material recited in the claims are different would distinguish Coleman, although Examiner Erez indicated a further search would be performed.

### **B. Claims 1, 2, 25, and 26 Are Novel over Coleman**

The Office rejects claims 1, 2, 25, and 26 as allegedly anticipated by Coleman. Without acquiescing to the propriety of the rejection and to expedite allowance, Applicant has amended independent claim 1 to recite that the non-radio opaque securing material is different from the two or more cross strands and has amended independent claims 25 and 26 to recite that the non-radio opaque securing material is different from the at least two strands.

Coleman discloses using the suture strands themselves to create knots at each intersection. *See* 3:12-19; 4:25-26; 4:38-39. The Office at least has not established that Coleman discloses or suggests the subject matter of claim 1, "where the non-radio opaque securing material is different from the two or more cross strands," or the subject matter of either claim 25 or claim 26, "where the non-radio opaque securing material is different from the at least two strands."

For at least these reasons, claims 1, 2, 25, and 26 are novel over Coleman, and the rejection should be withdrawn.

### **C. Claims 12 and 14 Are Patentable over Coleman and The Ashley Book of Knots**

The Office rejects claims 12 and 14 as allegedly obvious over Coleman in view of The Ashley Book of Knots. Without acquiescing to the propriety of the rejection and to expedite

allowance, Applicant has amended independent claim 12 to recite that the non-radio opaque securing material is different from the two or more cross strands.

Coleman discloses using the suture strands themselves to create knots at each intersection. *See* 3:12-19; 4:25-26; 4:38-39. The Office at least has not established that Coleman discloses or suggests the subject matter of claim 12, “where the non-radio opaque securing material is different from the two or more cross strands.” The Office has not established that The Ashley Book of Knots cures Coleman’s deficiency.

For at least these reasons, claims 12 and 14 are novel over the Office’s proposed combination, and the rejection should be withdrawn.

**C. Conclusion**

Claims 1, 2, 12, 14, 25 and 26 are in condition for allowance. Should Examiner Erez have any questions, comments, or suggestions relating to this application, he is invited to contact Applicant’s attorney at (512) 536-3031.

Respectfully submitted,

/Mark T. Garrett/

Mark T. Garrett  
Reg. No. 44,699  
Attorney for Applicant

FULBRIGHT & JAWORSKI L.L.P.  
600 Congress Avenue, Suite 2400  
Austin, Texas 78701  
(512) 536-3031  
Date: June 22, 2011